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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,316	12/18/2001	Cora Alisuag	1221-00001 (COR-001-US)	8207
26659	7590	08/24/2006	EXAMINER	
RAGGIO & DINNIN, P.C. 2701 CAMBRIDGE COURT, STE. 410 AUBURN HILLS, MI 48326			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/025,316

Applicant(s)

ALISUAG, CORA

Examiner

Thong H. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/06
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

1. Claims 1-43 are pending.
2. This application claimed the priority of 12/19/2000.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-43 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-43 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fisher [2006/0020783 A1] in view of Raven [Program Codelock2].

4. As per claim 1, Fisher discloses A method of providing for a server on a computer [Fisher, servers, 0130], comprising
  - a. providing for communicating with a first client [Fisher, user-A, Fig 1], wherein said first client performs a method comprising:
    - i. providing for reading a portable memory element [Fisher, smartcard 170, Fig 1];
    - ii. providing for obtaining (passcode) information necessary to access data from said portable memory element [Fisher, smartcard 170, Fig 1]; and

iii. providing for authenticating said (passcode) information [Fisher, authentication agent 120, Fig 1];

b. providing for providing a first key (passkey) to said first client if said (passcode) information is authentic for said portable memory element [Fisher, authentic, 0092];

c. providing for communicating with at least one second client [Fisher, user-B, Fig 1];

d. providing for receiving a second key (passkey) from said at least one second client [Fisher, user-B with smartcard, Fig 1]; and

e. providing for enabling said at least one second client to communicate with said first client if said second passkey corresponds to said first passkey [Fisher, collaboration, Fig 3; 0203].

However Fisher does not explicitly detail the passkey and passcode information.

Raven taught a program code lock2 using the passkey and passcode information [Raven, passkey, passcode, page 2].

Therefore it would have been obvious to an ordinary skill in the art at the time the invention to incorporate the program using the passkey and passcode information as taught by Raven into the Fisher's apparatus in order to utilize the authentication agent.

Doing so would improved authentication system service and method which provides for collaboration between business partners [Fisher, 0016].

5. As per claim 2 Fisher-Raven disclose the operation of providing for communicating with a first client comprises providing for encrypting signals that are sent

to said first client, and decrypting signals that are received from said first client [Fisher, encrypt decrypt, 0089].

6. As per claim 3 Fisher-Raven disclose said portable memory element comprises a memory card, a flash memory card or a SmartCard [Fisher, smartcard 170, Fig 1].

7. As per claim 4 Fisher-Raven disclose said data comprises medical information of a person who is capable of providing said passcode information necessary to access data from said portable memory element [Raven, passkey, passcode, page 2].

8. As per claim 5 Fisher-Raven disclose said passcode information comprises at least one fingerprint of a person associated with said portable memory element [Raven, passkey, passcode, page 2].

9. As per claim 6 Fisher-Raven disclose said passcode information comprises either alphanumeric information or biometric information provided by a person associated with said portable memory element [Raven, passkey, passcode, page 2].

10. As per claim 7 Fisher-Raven disclose said first client is mobile [Fisher, mobile user, 0255].

11. As per claim 8 Fisher-Raven disclose providing for enabling said first client either to read information from, or to record information to, said portable memory device if said passcode information is authentic for said portable memory element [Raven, passkey, passcode, page 2].

12. As per claim 9 Fisher-Raven disclose said information from said first client comprises voice information, data from a medical instrument, data from a keyboard or keypad, or handwritten data.

13. As per claim 10 Fisher-Raven disclose identifying a level of authority of said first client, and controlling access to said data responsive to said level of authority .

14. As per claim 11 Fisher-Raven disclose providing for a first user associated with said first client to provide said first passkey to at least one second user associated with at least one second client so that said at least one second user can provide said second passkey that corresponds to said first passkey [Raven, passkey, passcode, page 2].

15. As per claim 12 Fisher-Raven disclose the operation of providing for communicating with a second client comprises providing for encrypting signals that are sent to said second client, and decrypting signals that are received from said second client.

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As per claim 13 Fisher-Raven disclose providing for enabling said at least one second client either to read information from, or to record information to, said portable memory device if said second passkey corresponds to said first passkey [Raven, passkey, passcode, page 2].

16. As per claim 14 Fisher-Raven disclose providing for interfacing with a CORBAMED system [Fisher, collaboration between business partner via Internet, 0016].

17. As per claim 15 Fisher-Raven disclose said CORBAMED system comprises a Terminology Query Service server, a Clinical Observation Access Service server, and a Resource Access Decision server [Fisher, network servers, 0130].

18. As per claim 16 Fisher-Raven disclose providing for said first client to read at least one trait from said portable memory element and providing for receiving said at least one trait (i.e.: patient characteristics, user record) from said first client as a design choice.

19. As per claim 17 Fisher-Raven disclose communicating said at least one trait to said CORBAMED system and communicating data from said CORBAMED system corresponding to said at least one trait to at least one of said first client and said at least

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one second client [Fisher, collaboration between the network servers, 0130].

20. As per claim 18 Fisher-Raven disclose said at least one trait is defined in accordance with a Health Level 7 (HL7) specification as a design choice.

21. As per claim 19 Fisher-Raven disclose storing information from either said first client or said at least one second client in at least one database operatively associated with said CORBAMED system [Fisher, daatabse, 0133].

22. Claims 20-43 contain the similar limitations set forth in claims 1-19. Therefore claims 20-43 are rejected for the same rationale set forth in claims 1-19.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 6:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Thong Vu**  
**Primary Examiner**  
**Art Unit 2142**

